



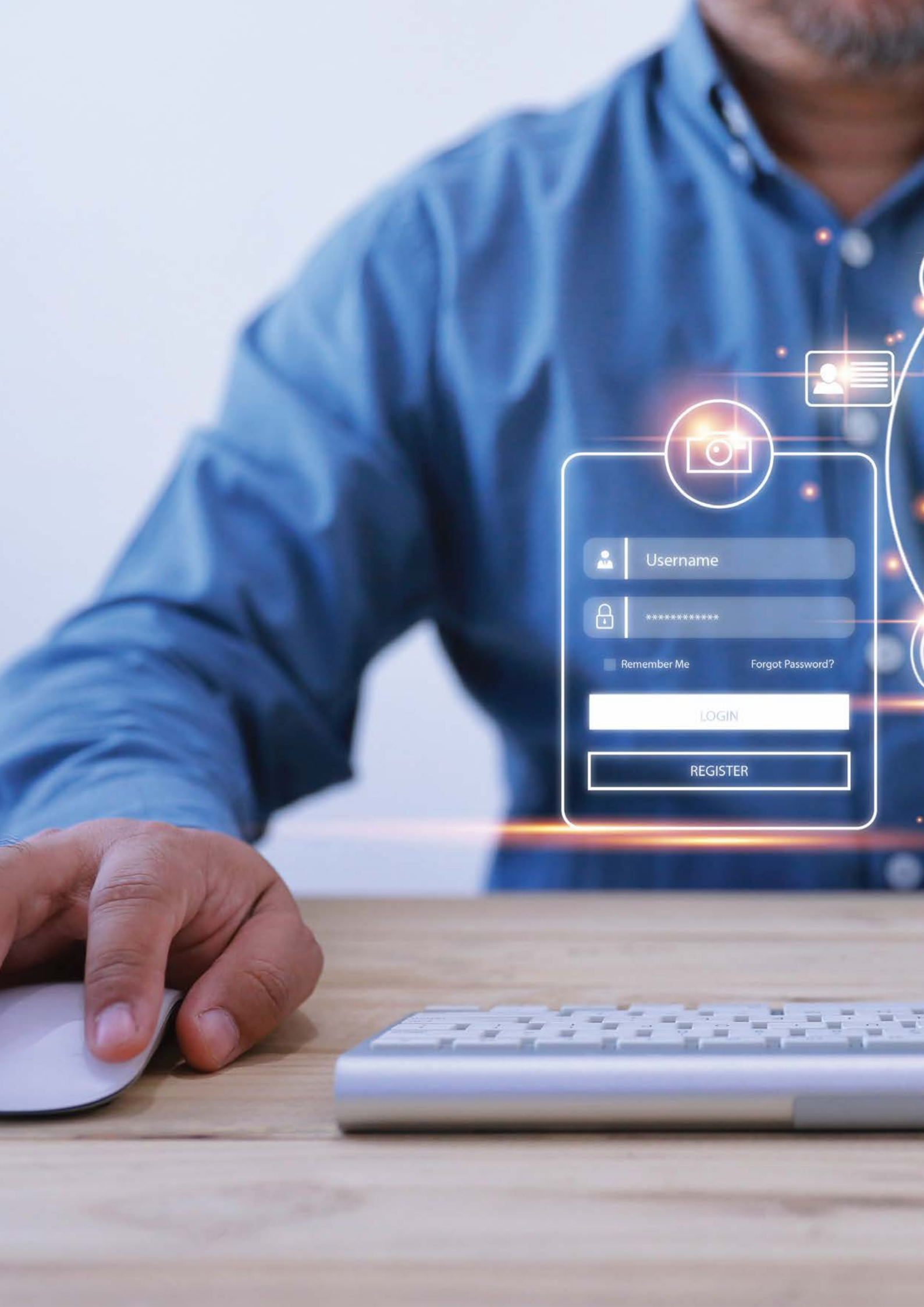
**Film and
Publication
Board**

Content Regulatory Authority of South Africa.

Empowering Digital Citizens
through Robust Regulation



Strategic Plan | 2025 - 2030



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Contents

Acronyms and Abbreviations	2
Accounting Authority Statement	3
Accounting Officer Statement	4
Official Sign Off	6

PART A: Our Mandate

7

1. Constitutional mandate	8
2. Legislative and policy mandates	9
3. Institutional policies and strategies over the five-year planning period	13
4. Relevant court rulings	13

PART B: Our Strategic Focus

15

1. Vision	16
2. Mission	16
3. Values	16
4. Situational Analysis	16
5. External environment analysis	18
6. Internal environmental analysis	21

PART C: Measuring Our Performance

27

1.1 MTDP 2024 - 2029 Result Framework	28
1.2. Outcome indicator	31
1.3. Outcome indicator baseline	33

PART D: Technical Indicator Descriptions (TIDs)

35

Acronyms & Abbreviations

AI	Artificial Intelligence
AGSA	Auditor-General of South Africa
B-BBEE	Broad Based Black Economic Empowerment
CCI	Content Classification Index
CSAM	Child Sexual Abuse Material
CSEM	Child Sexual Exploitation Material
DCDT	Department of Communications and Digital Technology
FPB	Film and Publication Board
EA	Executive Authority
FPGs	Films, Publications and Games
GBV	Gender Based Violence
GCIS	Government Communications and Information System
HC	Human Capital
ICASA	The Independent Communications Authority of South Africa
INHOPE	International Association of Internet Hotlines
ICT	Information Communications Technology
ISP	Internet Service Provider
LEA	Law Enforcement Agencies
KPI	Key Performance Indicator
MDDA	Media Development and Diversity Agency
PME	Planning Monitoring and Evaluation
MoU	Memorandum of Understanding
MTDP	Medium Term Development Plan
MTSF	Medium Term Strategic Framework
NDP	National Development Plan 2030
OD	Organisational Design
PFMA	Public Finance Management Act
PMO	Project Management Office
SABC	South African Broadcasting Corporation
SADC	Southern African Development Community
SAPS	South African Police Service
SARS	South African Revenue Service
SO	Strategic Outcome
SOP	Standard Operating Procedure
UGC	User-Generated Content

Accounting Authority Statement

As the Film and Publication Board (FPB), we embrace the government's ideal of building a capable, ethical and developmental state. It is this spirit that drives our desire to become an effective regulator of content that empowers and protects the public. This 2025 – 2029 Strategic Plan continues to reflect our response to the entity's five-year strategy outlining how the entity implements the Films and Publications Act (no.11 of 2019) (FP Amendment Act).

In terms of the FP Amendment Act, the mandate of the FPB was expanded to regulate the creation, production and distribution of films, games, and certain publications including the internet and where such content is considered harmful or prohibited as defined in the Films and Publications Act 65 of 1996 (FP Act). The amendment is centred around the digitalisation of content and the increasingly global nature of content consumed in the country. Regulating the online space has therefore become ever more critical in this digital era.

In pursuit of this mandate the FPB:

- Classifies films, games, and certain publications to ensure age-appropriateness in their consumption;
- Manages a dedicated hotline where Child Sexual Abuse Material (CSAM) and Child Sexual Exploitation Material (CSEM) can be reported;
- Assists with CSAM cases referred to the FPB for analysis by the South African Police Services (SAPS);
- Regularly conducts online monitoring for any harmful and prohibited content and direct take-down;
- Makes the exploitative use of children in pornographic content of films, games, certain publications and online punishable;
- Regulates the distribution of films, games and certain publications through managing the registration of distributors, monitor and enforce compliance with the FP Act;

- Conducts online safety education and awareness initiatives;
- Manages a public compliant system for the public to lay complaints regarding non-compliance with any provisions of the Act and classification decisions.

Implementation of Films and Publications Amendment Act, 11 of 2019 ("the Act") – The journey continues

The task of implementing the amended Act continuous to remain our priority. The focus is to build technological capacity for both organisational efficiencies and regulatory capabilities.

South African society expects government to set clear policies to regulate different aspects of social life, with the sanctity of family and community advancement being at the centre of all that we do. The FPB, therefore, serves an important role in making sure that access to information, as well as learning and developmental opportunities presented by new technologies, are not abused or in any way used to harm the vulnerable.

Our brand promise "Educate, Protect and Enforce" remains central to the implementation of our online safety and education awareness plan. The FPB will continue to work with government, industry, communities and international partners. This includes the millions of South Africans who use and rely on social media platforms. Our work also supports law enforcement agencies in ensuring online safety for all users.



Ms Zamantungwa Mkosi

Council Chairperson: Film and Publication Board
Date: 31 Jan 2025

Accounting Officer Statement

This Strategic Plan details the overall objectives and plans of the FPB to deliver on its mandate over the next five years. The planning phase is preceded by new priorities of the 7th Administration.

The FP Amendment Act, promulgated in 2022, is centred around the digitalisation of content and the increasingly global nature of content consumed in the country. To align itself to these developments, the FPB has embarked on an organisational transformation journey, adapting its operational focus to digitalisation, as envisioned in our Digital Roadmap. The roadmap outlines the necessary steps for the FPB to enhance its capacity as a future-focused content regulator. There is no doubt that Artificial Intelligence (AI) is increasingly becoming a force to reckon with, even in the space of content creation, distribution and consumption. Thus, as regulators in the digital space, we must hastily align ourselves with this new reality by developing and adapting to the necessary technological tools so as to remain relevant. Our own Online Content Regulation system (OCR) that was enhanced in late 2023, aided us to address the industry's appeal to generate age ratings within shorter turnaround period. This is a great improvement on our current turnaround time.

Our recently adopted revenue enhancement strategy is a step in the right direction towards achieving financial sustainability. The nature of content today requires that we work collaboratively with regulators in other areas of the digital media. The launch of the Information, Technology and Media Regulators Forum of South Africa on 10 October 2024 was a highlight in this respect. Furthermore, we take pride in our membership of the International Association of Internet Hotlines (INHOPE) - which monitors online child sexual abuse. Our role as expert witness in many cases of child pornography is a source of pride. We endeavour to continue this work in fulfilment of our mandate for child protection.

Equally important as part of our vision, is the embracing of the government's ideals of building a capable, ethical and developmental state. We breathe these principles throughout our regulatory effectiveness endeavours; from skills development (particularly digital skills), our governance approach, and our efforts to promote local content through collaborative engagement with technological platform owners. Our tariff structure is such that smaller players are not prevented from entering the market, thus facilitating inclusive participation in the content distribution market.

The FPB conducts online safety education and awareness initiatives in rural villages, urban areas and across the nine provinces. We also endeavour to cover vulnerable communities, particularly children, people living with disabilities and women, who tend to bear the brunt of online misogyny. This is in line with our quest towards reducing the digital literacy gap and contribute towards a capable digital society and inclusive economy. Our membership of the Global Online Safety Regulators Network (GOSRN) enables us to partner and benchmark with other global online safety regulators.

Our five-year strategy is thus, an indication of our commitment to execute our mandate. Thus we commit to ensuring online safety by implementing the online safety education and awareness plan and increase contribution to our overall revenue from self-generated content. We seek to achieve the implementation of the AI strategy, a flagship project in the context described above. While we work on our OCR system, we commit to a seven (7) working days turnaround time for content classification. We shall endeavour to ensure that self-classified sampled content from commercial online distributors is quality assured, while committing to assessing of CSAM cases.

On the research front, we endeavour to conclude evidence-based research that supports the effective implementation of the mandate of the FPB, including organisational excellence.

Our commitment towards our distributors is that 95% of applications for registration shall be processed within five (5) working days. Our commitment to ensuring effective compliance is reflected in our target of 80% implementation of our annual compliance plan, as well as 80% of enforcement action taken on identified or reported non-compliant distributors.

In the final analysis, we acknowledge the intrinsic link between the competitiveness of the regulated industry and the efficacy of our regulatory efforts. Consequently, we prioritize the timely generation of ratings to ensure that content distributors are not unduly disadvantaged. We are also concerned that while we embrace this global wave of adopting AI, we do so not to the detriment of the values and norms that make us who we are as South Africans. The media and entertainment industry has experienced a significant shift in content distribution and consumption, moving away from physical formats like DVDs and cinema toward digital and mobile platforms, including video-on-demand and social media. On the other hand, user-generated content on social media platforms is also growing at a fast pace and, this means that there is a high probability

of prohibited and harmful content being distributed on various social media platforms in contravention of the regulatory prescripts. The online distribution of child sexual abuse material continues to be a matter of concern. Equipping South Africans with the knowledge and skills necessary for online safety remains a priority.

Enhancing our regulatory efforts to monitor and enforce compliance by distributors contributes to our endeavours to protect children and consumers in general in order to save the moral fabric of the country. Our priorities for the next five years are reliant on the FPB transforming into a digitally driven organisation. Our strategic commitments will focus on financial sustainability, regulatory compliance and enforcement, child protection, and enhancing the digital skills of South Africans through our online safety initiatives and partnerships.



Adv. Makhosazana Lindhorst

Acting Chief Executive Officer

Date: 2025/01/31

Official Sign Off

It is hereby certified that this strategic plan:

- Was developed by the council and executive management of FPB.
- Considers all the relevant policies, legislation and the mandate of the FPB, and
- Accurately reflects the revised impact, outcomes and outputs that the FPB will endeavour to achieve over the period 2025- 2029.



Ms. Beverley Nkumanda
Corporate Services Executive

Date: 31 January 2025



Ms. Hulisani Ramugadi
Chief Financial Officer

Date: 31 January 2025



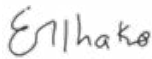
Adv. Makhosazana Lindhorst
Regulatory Development and Enforcement Executive

Date: 31 January 2025



Adv. Makhosazana Lindhorst
Acting Chief Executive Officer

Date: 31 January 2025



Mr. Ephraim Tlhako
Technology Support and Platform Monitoring Executive

Date: 31 January 2025



Ms. Zamantungwa Mkosi
Chairperson: FPB Council

Date: 31 January 2025



PART A: Our Mandate

1. Constitutional Mandate

The Film and Publication Board (FPB) derives its constitutional and legislative mandate from several key frameworks that aim to regulate content and protect the public, particularly children, from exposure to harmful and prohibited materials. This mandate includes regulating the creation, production, possession and distribution of films, games, certain publications and the internet through the following measures:

- Classification of films and games and assign appropriate age ratings using classification guidelines which were informed by empirical evidence of what is deemed harmful to children and adults in accordance with societal norms.
- Registration of distributors and exhibitors of games, films and certain publications on all platforms including digital platform and ensure their compliance with the Act.
- Conclusion of online distribution agreements with online commercial distributors of films and games in line with provisions of section 9A(2)(f)(ii) and 18C of the Films and Publications Amendment Act.
- Registration of internet services and access service in line with section 24C and 27A of the Act.
- Monitoring of prohibited and harmful content
- Administration of the hotline and analysis of child sexual abuse material.
- Investigation and adjudication of complaints on prohibited and harmful content distributed online in line with section 18E, 77 ECTA 25/2002, 6B including the non-consensual sharing of private sexual films or photographs and distribution of films or photographs depicting sexual violence and violence against children.
- Propaganda for war, incitement of imminent violence and hate speech.

The FPB's mandate is closely tied to the balance between promoting freedom of expression and protecting societal interests, particularly the

rights and safety of children. The FPB's mandate aligns with section 16 of the Constitution of the Republic of South Africa, 1996 which states that: Everyone has the right to freedom of expression, which includes –

- a. Freedom of the press and other media;
- b. Freedom to receive or impart information or ideas;
- c. Freedom of artistic creativity; and
- d. Academic freedom and freedom of scientific research.

Furthermore, the FPB's mandate is aligned with Section 28 of the Constitution of the Republic of South Africa (1996). This section guarantees children the right to protection from exploitative practices and content that may harm their well-being or development, a principle central to the FPB's mission. However, the right expressed in subsection (1) of section 16 does not extend to –

- a. Propaganda for war;
- b. Incitement of imminent violence; or
- c. Advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.
- d. The FPB will therefore focus on balancing freedom of expression with citizens' right to protection from the harmful effects of proliferating online content. This includes material that, even under the most liberal interpretations, harms South African citizens. Protecting children, at a minimum, from the mental, psychological, and ethical damage caused by exposure to content that objectifies, abuses, and humiliates people for sexual gratification and other selfish and undignified purposes is paramount. The FPB's traditional approach of relying on classification-driven consumer advice for adults to protect children is no longer sufficient. Recognizing this inadequacy, the Legislature enacted the Films and Publications Amendment Act of 2019 to regulate the creation, production, possession, and distribution of films, games, certain publications, and online content through classification to; Allow adults to make informed choices for themselves and the children in their care by providing consumer advice in the form of classifications;

- e. Protect children from exposure to disturbing and harmful material;
- f. Protect children from premature exposure to adult material;
- g. Make the use of children in pornography and exposure to pornography punishable.

2. Legislative and Policy Mandates

2.1 Legislative Mandate

The Film and Publication Board (FPB) is a South African public entity which derives its legislative mandate from the Films and Publications Act 65 of 1996, as amended (FP Act) in 2019. The mandate of the FPB is to protect consumers against harmful and prohibited content as defined in the FP Act, as amended by regulating the creation, production, possession and distribution of films, games, certain publications and the internet. The regulatory mapping table outlines the legal parameters within which the FPB functions as per the legislative provisions enshrined in the FP Act:

What Do We Regulate	How Do We Regulate	Regulatory Tool	Enabling Provision	Who Are We Regulating
1.Distribution of films and games	Registration of distributors of films or games	Registration certificate	18(1)(a)	Distributors
2.Exhibition of films and games	Registration of exhibitors of films or games	Registration certificate	18(1)(a)	Exhibitors
3. Classification	Classification of content	Classification certificate, gazette(XX refused, X18), CSAM-referral to SAPS	18(2), 18(4),18(5)	Exhibitors and Distributors
4. Online distribution of film, game, publication	Approval and accreditation for self-classification	Online distribution agreement- Self classification permit	9A(2)(f)(ii) and 18C	Commercial online distributors
5. Certain publications	Classification of content submitted	Classification certificate,	16,16(2)	Classification of content submitted
6. Internet Services (Child oriented service)	Registration	Registration certificate	27A ,24C	Internet service providers and internet access service Providers

What Do We Regulate	How Do We Regulate	Regulatory Tool	Enabling Provision	Who Are We Regulating
<p>Online services (User generated content):</p> <ul style="list-style-type: none"> • On consensual sharing of private sexual films or photographs • Distribution of films or photographs depicting sexual violence and violence against children • Propaganda for war, incitement of imminent violence and hate speech 	Investigation of a complaint	Take -down notice, CSAM- referral to SAPS, adjudication by the enforcement committee	18E,77 ECTA25/2002,6 B	Non-Commercial online distributors (members of the public)

The FPB legislative mandate is supported by various pieces of legislation, listed below:

Title	Purpose
Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)	This Constitution is the supreme law of the Republic. Law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled. Any law therefore that violates the Constitution, or any conduct that conflicts with it, can be challenged and struck down by the courts.
Cybercrimes and Cybersecurity Act, 2020 (Act No. 19 of 2020)	The aim of the Cybercrimes and Cybersecurity Act is to deal with cybercrimes and cybersecurity, broadly defined as the use of data, a computer programme, a computer data storage medium or a computer system in committing crimes. Cybersecurity is defined as the protection of data, computer programmes, computer data storage mediums or computer systems against cybercrime, damage or interference through the use of technologies, measures and practices. The Act also aims to rationalize the laws of South Africa which deal with cybercrime and cybersecurity into a single Act.
Child Justice Act, 2008 (Act No. 75 of 2008)	The Child Justice Act aims to keep children out of detention and away from the formal criminal justice system, mainly through diversion. When these interventions would be inadequate or unsuccessful, the Act provides for child offenders to be tried and sentenced in child justice courts.

Title	Purpose
Children's Act, 2007 (Act No. 41 of 2007)	The Children's Act governs the laws and regulatory frameworks relating to the care, contact and the protection of children. It defines responsibilities and rights, makes provision for the establishment of children's courts and the appointment of welfare officers. In all cases, the guiding principle is in the best interests of the child.
The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (PEPUDA or the Equality Act, Act No. 4 of 2000)	The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (PEPUDA or the Equality Act, Act No. 4 of 2000) is a comprehensive anti-discrimination law. It prohibits unfair discrimination by the government and by private organizations and individuals and forbids hate speech and harassment.
Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007)	The Criminal Law (Sexual Offences) Amendment Act provides for prohibitions, offences and punishment of sexual crimes committed duly listed. The Act replaces certain common law provisions on sexual offences and sections of the old law, the Sexual Offences Act, 1957 (Act No. 23 of 1957).
Electronic Communications Act, 2005 (Act No. 36 of 2005)	The Electronic Communications Act regulates electronic media and broadcasting in particular in the milieu of media convergence.
Employment Equity Act, 1998 (Act No. 55 of 1998)	The Employment Equity Act applies to all employers and workers and protects workers and job seekers from unfair discrimination and provides a framework for implementing affirmative action
King IV Report on Corporate Governance for South Africa 2016	Ethical and effective leadership is at the heart of King IVTM. The 17 basic principles are universally applicable to all organizations, and all are required to substantiate a claim that good governance is being practiced.
Labour Relations Act, 1995 (Act No. 66 of 1995)	To protect everyone in the workplace and to promote economic development, fair labour practice, peace, democracy and social development.
National Treasury Regulations	These regulations are issued regularly by National Treasury and are applicable to all public entities in accordance with their Schedule listing.
Occupational Health and Safety Act, 1993 (Act No. 181 of 1993)	The Occupational Health and Safety Act aims to provide for the health and safety of persons at work and for the health and safety of persons in connection with the activities of persons at work and to establish an advisory council for occupational

Title	Purpose
Prevention and Combating of Trafficking in Persons Act, 2013 (Act No. 7 of 2013)	Pronounces on the recruitment and exploitation of children in sex trafficking and in the production of pornography.
Prevention and Combating of Hate Crimes and Hate Speech Act, 2023 (Act No. 16 of 2023)	To give effect to the Republic's obligations in terms of the Constitution and international human rights instruments concerning racism, racial discrimination, xenophobia and related intolerance, in accordance with international law obligations; to provide for offences as hate crimes and the offences; to provide for appropriate sentences that may be imposed on persons who commit hate crime and hate speech offences; to provide for the prevention of hate crimes and hate speech; to provide for the reporting on the implementation, application and administration of this Act; to effect consequential amendments to certain Acts of Parliament; and to provide for matters connected therewith.
Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)	To give effect to the constitutional right of access to any information held by the State and any information that is held by another person and that is required for the exercise or protection of any rights; and to provide for matters connected therewith.
Promotion of Administrative Justice Act, 2000 (Act No. 2 of 2000)	To give effect to the right to administrative action that is lawful, reasonable and procedurally fair and to the right to written reasons for administrative action as contemplated in section 33 of the Constitution of the Republic of South Africa (1996) and to provide for matters incidental thereto.
Protection of Personal Information, Act, 2013 (Act No. 4 of 2013)	Protection of personal information and data.
Public Finance Management Act, 1999 (Act No. 29 of 1999)	To regulate financial management and to ensure that all revenue, expenditure, assets and liabilities of Government departments or entities are managed efficiently and effectively.
Skills Development Act, 1998 (Act No. 97 of 1998)	To govern training, education and skills development in the workplace.

2.2 Policy Mandate

The mandate of the FPB is guided by the government's policy priorities including the Department of Communications and Digital Technologies. The National Development Plan 2030 provides a framework for poverty reduction, economic growth, economic transformation and job creation. The Medium Term Development Plan 2024- 2029 identifies strategic priorities.

3. Institutional policies and strategies over the five-year planning period

The FPB's policies over the next five year period will include:

- Risk management and internal audit policies;
- Corporate governance framework;
- Human resource management policies;
- Financial management and SCM policies;
- Communications policies;
- Research, knowledge management and document management policies;
- ICT policies;
- Legal and compliance policies;

The FPB's strategies over the next five year period will include the following:

- **Classification strategy** - Outlines the guidelines and frameworks used to classify content (films, games and certain publications), ensuring it aligns with regulatory standards and societal norms.
- **Child protection strategy** - Aims to protect children from online harms and abuse through robust systems and interventions.
- **Artificial Intelligence strategy** - Outlines the steps that will enable AI projects (FPB's digital roadmap) to smoothly transform ideas into impactful solutions through an Implementation Plan, which will accompany this strategy.
- **Stakeholder engagement and strategic partnerships strategy** - Aims to foster meaningful and mutually beneficial relationships between stakeholders, ensuring alignment on shared goals and objectives.

- **Revenue enhancement strategy** - Focuses on increasing self-generated over Total Revenue in line with the approved tariff model.
- **Online safety strategy** - Aims to educate, collaborate and safeguard individuals, especially children and vulnerable groups, from online risks such as exploitation, abuse, cyberbullying, and exposure to harmful and prohibited content.

4. Relevant court rulings

Below is a list of the most recent and relevant court cases applicable to the work of the FPB. The list is not exhaustive.

4.1 Indigenous Film Distribution (Pty) Ltd and Another v Film and Publication Appeal Tribunal and Others [2018] 3 All SA 783 (GP):

The decision of the Appeal Tribunal to reclassify the film "Inxeba" as "X18" because it depicted secretive initiation rituals and a same-sex relationship in the context of these rituals was set aside by the High Court. The film was originally classified as suitable for persons over the age of 16. The basis for this decision was because the distributor and producer of the film were not afforded a proper opportunity to participate in the proceedings before the Appeal Tribunal and as such its decision to reclassify the film as X18 was removed and set aside.

4.2 De Reuck v Director of Public Prosecutions (Witwatersrand Local Division) and Others 2004 (1) SA 406 (CC):

The application before the Constitutional Court was for leave to appeal a decision of the High Court in which the Applicant was found guilty of importing and possessing CSAM in terms of section 27 (1) of the FP Act. The Constitutional Court held that the section constitutes a law of general application and the limitation of the rights claimed (freedom of expression and privacy) is reasonable and justifiable in that a person is allowed to possess child pornography should the FPB grant an exemption based on a good cause in that respect. It was further held that

CSAM does not consist of all depictions of a nude child, but rather those that stimulate erotic feeling,

not aesthetic feeling, the test being an objective one. This limitation is justified because it protects children's dignity, combats the market for child abuse imagery, and mitigates the significant risk of these images being used to harm children. The appeal was therefore dismissed.

4.3 Print Media South Africa and Another v Minister of Home Affairs and Another 2012 (6) SA 443 (CC):

The Constitutional Court, confirming the High Court's ruling, held that legislative provisions in the FP Act which required publishers to submit publications containing certain categories of "sexual conduct" for examination before publication were unconstitutional. The Constitutional Court reasoned that the administrative prior classification provided for under the FP Act, amounted to a form of prior restraint which is a drastic interference with freedom of speech that should only occur where there is a substantial risk of grave injustice which was not the case here where less restrictive means could be unemployed. Accordingly, the FP Act's prior classification system was an unjustifiable limit to the right to freedom of expression.

4.4 The State v Gerhardus Ackerman (SS090/2021) [2023] ZAGPJHC 363(24 April 2023):

The South Gauteng High Court found Gerhard Ackerman guilty of more than 700 charges which inter alia include sexual exploitation of children, creation, and possession of child pornography in contravention of the Films and Publications Act 65 of 1996 and sentenced him to 12 life sentences.

4.5 Qwelane v South African Human Rights Commission and Another (CCT 13/20) [2021] ZACC 22 (31 July 2021):

The Constitutional Court held that freedom of expression "is of the utmost importance in the kind of open and democratic society the Constitution has set as our aspirational norm". This is because it is "an indispensable facilitator of a vigorous and necessary exchange of ideas and accountability."

4.6 According to Emerson, there are four particular values that undergird the right to freedom of expression. These , include:

- a. The pursuit of truth;
- b. Its value in facilitating the proper functioning of democracy;
- c. The promotion of individual autonomy and self-fulfilment; and
- d. The encouragement of tolerance.



PART B: Our Strategic Focus



- **Vision**

A credible and leading African content regulator, trusted by the industry and the public.

- **Mission**

To regulate media content and protect the public from harmful and prohibited content.

- **Values**

Accountability	Promoting responsibility, transparency and credibility.
Integrity	Executing our mission with consistency, honesty and fairness.
Transparency	Openness of regulatory processes and decision-making to promote trust and confidence.
Innovation	Provide market leading research and innovation to effectively shape the rating and regulation of media content.
Consultation	Subscribe to the principle of people first, value and respect the diversity of views, and multi-culturalism in our country.
Agility	A regulator that is dynamic and flexible in executing its mandate.

Table 3: The FPB's values

- **Situational Analysis**

Problem Statement

The FPB continues to operate in the evolving domain of content regulation, where its primary mandate is to protect citizens, particularly children, from exposure to harmful and prohibited content. Traditionally, the FPB focused on regulating physical content such as films, games, and publications, but the digital age has introduced new complexities to the regulation of content creation, distribution, and consumption.

The advent of the internet has fundamentally altered the landscape of content creation, distribution, and consumption, posing new challenges for the FPB in executing its mandate. The rise of global online content distributors has led to a significant shift in the market, often at the expense of traditional domestic distributors who previously submitted content for classification and generated revenue for the FPB. Moreover, search-based, short-form videos and social media platforms (e.g., YouTube, TikTok, Facebook, and X) have emerged as dominant players in content distribution, yet they do not fall under the traditional regulatory framework that applies to domestic distributors. These platforms now compete for consumer attention and time, with approximately one third of daily online activities globally attributed to social media, further eroding the market share of domestic distributors.

Several new challenges are presented by this digital transformation:

1. Content creation explosion: The barriers to entry for content creation have dramatically decreased, with millions of content creators globally, including South Africa, able to produce and distribute content with minimal resources. This shift has led to an overabundance of content, much of which bypasses traditional regulatory frameworks.
2. Content distribution: Individual consumers can now distribute content, effectively turning millions of South Africans into de-facto distributors, further complicating the FPB's ability to monitor and classify content.
3. Open networks: Content is transmitted through open networks, accessible to both international distributors and local consumers with basic internet access, making it difficult for the FPB to maintain regulatory oversight using traditional methods.

Given this evolving landscape, the FPB acknowledges that new methods of content discovery and interdiction are necessary, particularly for harmful content. These methods must be developed in collaboration with search-based and social media content distributors to ensure that harmful content is intercepted before it reaches vulnerable audiences, especially children.

The Films and Publications Amendment Act (2019) was the FPB's first legislative response to these digital challenges. However, it was met with significant pushback from civil society, industry stakeholders, and legal experts, particularly concerning the FPB's proposed accountability measures for Internet Service Providers (ISPs). The backlash highlighted the complexities of balancing human rights, personal freedoms, investment considerations, and the need to protect children from harmful online content.

Key lessons learned from industry and civil society feedback

The following lessons emerged from the debate sparked by the Amendment Act and its related regulatory instruments:

1. Adults' freedom of choice: Adults strongly value their freedom to decide what content they consume and to make their own value judgments. Censorship, especially of adult content, remains widely unpopular, with few supporters given South Africa's history of Apartheid-era censorship.
2. Child protection: Parents, caregivers and educators expect active involvement from the government in preventing children from discovering harmful content, especially sexually explicit material. They also seek assistance in combating digital crimes such as sextortion, which can be understood as a form of sexual exploitation, where someone in a position of power abuses that power to demand sexual favours in exchange for something else.
3. Collaboration with stakeholders: There is a broad coalition of advocacy groups, industry associations, non-governmental organizations and concerned parents willing to assist the FPB in protecting children from online harm. This presents an opportunity to leverage additional resources in the fight against harmful content.
4. Practical regulatory methods: Regulatory enforcement must be fair and practical, avoiding undue burdens on industry players, particularly domestic businesses, while fostering an environment conducive to international investment.
5. Incremental approach to change: The complexity of content regulation, particularly in the digital age, requires a methodical, incremental approach. Continuous refinement of the FP Act and the FPB's regulatory capacity will be necessary to stay ahead of the evolving content landscape.
6. Revenue challenges: A sustainable revenue model must be developed for search-based and social media platforms, which are increasingly consuming the market share traditionally held by domestic distributors.

Moving forward: Addressing the regulatory and organizational challenges

The FPB will work closely with DCDT to ensure that the FP Act is refined. Technical reviews of classification guidelines will be conducted in the second year of this Strategic Plan and substantive review in the fourth year. The organization will also work to expand its regulatory capacity, with a focus on three core areas:

1. **People:** Building the necessary skills and leadership to address both current and future challenges.
2. **Systems:** Upgrading technology to improve compatibility and automation for classification tasks, particularly in the online domain.
3. **Technology:** Developing advanced digital tools to discover and analyse harmful content at scale.

As these changes are implemented, the FPB will continue to engage with stakeholders and apply incremental improvements to its processes, reflecting the lessons learned from past challenges. Additionally, it will consolidate its uncontested services and apply incremental changes as resources allow, ensuring its mandate remains relevant and effective.

The situational analysis addresses the feedback received from civil society, industry and the FPB Council. It acknowledges the technical challenges of implementing the FPAA's regulatory instruments and highlights the need for a sustainable funding solution to build the FPB's regulatory capacity. This updated analysis will inform the FPB's strategic direction as it continues to adapt to the evolving content regulation landscape.

4.1 External Environmental Analysis

Over the next five years, the FPB will navigate an evolving external environment shaped by political, economic, social, technological, environmental, legal, and innovation-driven factors. These dynamics will influence the FPB's

strategic decisions and its ability to fulfil its mandate to protect South Africans, particularly children, from harmful content while adapting to the challenges of regulating a rapidly digitizing world.

Political Landscape

In the wake of South Africa's 2024 general election and the formation of a Government of National Unity (GNU), a new Minister and Deputy Minister of Communications has been appointed. This change signals a shift in the government's focus on the communications sector, particularly in its relationship with global online content distributors.

Key political factors impacting FPB's future include:

- **Government relations with global platforms:** As South Africa engages with major global online distributors like Apple, Google, Meta and Netflix, the influence of these corporations on regulatory frameworks will grow. Their lobbying efforts are likely to push for reduced regulatory burdens, especially as their business models depend on standardizing regulations across multiple jurisdictions.
- **Free speech vs. responsible communication:** There is an ongoing global debate between proponents of free speech and those advocating for socially responsible communication. This debate will shape the FPB's role as a regulator, particularly as it balances the protection of children from harmful content with the protection of adults' rights to access diverse perspectives online.
- **Jurisdictional overlaps:** In South Africa, the FPB and ICASA share regulatory responsibilities for content distribution and transmission. This overlap may lead to further regulatory consolidation, as proposed in the draft white paper on audio and audiovisual media services and online content safety, which calls for the merger of the FPB, ICASA and ZDNA. Such a merger would significantly alter FPB's operational landscape.

The next five years will see the FPB adapting to a political landscape where global content distributors exert increasing influence, and the South African government grapples with balancing regulatory oversight with economic growth in the digital content sector.

Economic Landscape

The rise of global online distributors has significantly reshaped the economic landscape in which the FPB operates. Traditional domestic distributors, such as cinemas and physical media stores, have experienced a sharp decline, while over-the-top services like Netflix, YouTube and Showmax dominate the digital market.

Key economic challenges and opportunities include:

- **Revenue Shifts:** As traditional content distributors diminish, the FPB's traditional revenue streams from license and classification fees are eroding. At the same time, global platforms contribute minimally to FPB's regulatory revenues despite their significant role in the South African content market.
- **Need for a new tariff model:** FPB will need to develop a tariff model that reflects the dominance of global platforms while ensuring that revenue from search-based and social media distributors—who contribute significantly to online risks—supports FPB's regulatory efforts.
- **Supporting local content creators:** The growth of low-budget South African content creators offers an opportunity for economic stimulation. FPB can play a role in encouraging global distributors to invest in local content creation, thereby contributing to inclusive economic growth.

Over the next five years, FPB must pivot towards a sustainable revenue model that leverages the dominance of global content distributors while fostering growth among local creators. Balancing revenue generation with its regulatory mandate will be key to FPB's financial sustainability.

Social Landscape

South Africa's social fabric is diverse and, in many ways, divided, with young people across the spectrum of race, gender, religion and income enthusiastically participating in digital platforms like Facebook, YouTube, X, and TikTok. These platforms have become integral to their social lives, enabling both content consumption and creation.

Key social factors influencing FPB's strategy include:

- **Content diversity and the balance between protecting societal values and respecting individual freedoms** will remain a contentious issue.
- **Child protection:** Across society, there is a strong consensus on the need to protect children from online harm. Parents, educators and advocacy groups will continue to push for more robust protections, particularly against content related to cyberbullying, sextortion and gender-based violence.
- **Social media as an extension of identity:** For young South Africans, social media is an extension of their identity and a platform for expression. Efforts to regulate these spaces must be carefully managed to avoid infringing on personal freedoms while addressing child safety concerns.
- **Online social harms:** Technological advancements have significantly transformed the media content landscape, leading to new ways of creating, distributing and consuming media content. This has further significantly influenced media content regulation, providing opportunities for new enforcement tools and regulatory oversight, while also bringing to the fore new challenges that require meticulous regulations. Balancing the benefits of technological advancements with the need to protect fundamental human rights remains a critical task for regulators, including FPB.

The next five years will see FPB navigating a delicate social environment where content regulation must protect the vulnerable without curbing the freedoms that South Africans, particularly the youth, hold dear.

Technological Landscape

The technological landscape is advancing at an unprecedented rate, with significant developments in AI, data transmission and content discovery technologies. The rise of Starlink and other affordable satellite internet services is set to increase internet access across South Africa, further accelerating the consumption of digital content.

Key technological factors impacting FPB's future include:

- **Reduced data costs:** Advances in telecommunications technology continuously drives down data costs.
- **Exponential growth in content:** The rapid increase in user-generated content, driven by lower data costs and improved connectivity, will challenge FPB's ability to regulate content at a large scale.
- **Collaborative opportunities:** FPB can leverage AI-powered content discovery tools to identify harmful content more effectively. Collaboration with civil society, industry stakeholders and law enforcement will be essential in developing regulatory frameworks that keep pace with technological innovation.
- **Competition for digital skills:** As the global demand for digital talent intensifies, FPB will face challenges in attracting and retaining the skills needed to implement its regulatory mandate. Partnering with technology firms will be a key strategy to bridge this gap.

In the next five years, technological advancements will both amplify the regulatory challenges faced by FPB and offer new tools for addressing them. The Board must remain agile, leveraging emerging technologies while working to build the digital capacity necessary for effective regulation.

Environmental Landscape

While content regulation does not have a direct impact on the physical environment, the content transmission domain—which involves the installation of telecommunications infrastructure—can affect environmental factors such as e-waste and technology dumping.

Key environmental factors include:

- **E-waste Management:** As telecommunications and internet service providers expand their infrastructure, the risk of improper disposal of outdated electronics and digital devices increases. This could lead to environmental pollution if not managed effectively.
- Although the environmental impact of content regulation is minimal, FPB should remain aware of the indirect effects of the digital ecosystem it regulates, particularly regarding the safe disposal of electronic waste.

Legal Landscape

The Films and Publications Amendment Act (FPAA) (2019) significantly strengthened FPB's regulatory powers, particularly in relation to online content. However, the Act also met with considerable resistance from civil society and industry stakeholders, particularly ISPs, who felt unprepared for the open-ended legal liabilities it imposed.

Key legal factors include:

- **Revising the FPAA (2019):** There is widespread consensus that the Amendment Act needs to be revised, particularly with input from civil society, industry and the legal fraternity. This process will need to be inclusive and focused on harmonizing FPB's regulatory framework with other laws that address online harm, child protection and hate speech.
- **Legal harmonization:** The FPB must navigate the overlaps of multiple legal frameworks,

including the Cybercrimes Act, Children's Act and Electronic Communications Act, to ensure that its regulatory activities do not lead to mandate clashes. The legal landscape over the next five years will see the FPB working closely with DCCT to ensure that the act is revised to close legislative gaps.

Innovation Outlook

Innovation will be critical to the FPB's ability to meet its mandate in a rapidly evolving content regulation environment. The organization must rethink its traditional operating model to address three key change drivers:

- **Proactive content discovery:** Parents expect the FPB to implement proactive measures to discover and block harmful content before it reaches children.
- **Collaborative regulatory development:** The FPB must engage in collaborative efforts with civil society and industry to update its regulatory instruments and develop new models that reflect the realities of the digital world.
- **Leveraging technology:** The use of AI, digital training platforms and cross-institutional collaboration will be essential in building the partnerships necessary to expand FPB's regulatory capacity without relying solely on increased funding from the National Treasury.

Over the next five years, innovation will drive the FPB's ability to collaborate with stakeholders and regulate an increasingly complex digital landscape. The Board must continuously explore new technologies and methods to stay ahead of emerging content regulation challenges.

In the coming years, the FPB will face a multifaceted external environment shaped by powerful global content distributors, shifting revenue models, rapid technological advances and evolving societal and stakeholder expectations. The organization's ability to adapt to these changes while maintaining its

core mandate to protect vulnerable groups—particularly children—will be critical to its success. By embracing innovation, fostering collaboration and refining its legal framework, the FPB will be well-positioned to meet the challenges of the next five years.

4.2 Internal Environmental Analysis

4.2.1 The organisational impact of the FPAA (2019)

The Amendment has expanded the entity's mandate beyond merely the classification of content. The FPB was restructured to perform an expanded set of mandated functions to regulate the creation, production, possession and distribution of films, games, certain publications and the internet. The FPAA was promulgated so as to:

- Insert and amend certain definitions;
- Provide for the establishment, composition and appointment of members of the enforcement committee;
- Provide for the powers and duties of the enforcement committee;
- Regulate online distribution of films and games;
- Extend the compliance obligations of the films and publications act and the compliance and monitoring functions of the FPB to online distributors;
- Revise and further regulate the functions of compliance officers regarding entering and inspection of premises and facilities in which the business of the sale, hire or exhibition of films or games is being conducted;
- Further regulate the classification of publications, films and games;
- Provide for accreditation of independent commercial online distributors by the FPB
- Provide for classification of publications, films and games by the independent industry classification bodies;
- Provide for foreign and international classification systems and approval thereof by the FPB;

- Provide for the use of classification ratings issued by a foreign and international classification authority or body;
- Provide for the right of appeal against classifications issued by independent industry classification bodies;
- Provide for exemptions in respect of online distribution of films and games;
- Further provide for the obligations of internet access providers regarding curbing the use of their services in propagating prohibited content;
- Revise and strengthen penal provisions; and
- Provide for matters connected therewith.

The restructuring process has encountered several implementation challenges relating to the scope of change and the maturity of digital platforms, processes and internal policies to support those changes. The organisational transformation to perform these functions remains ongoing

Regulatory Impact

The introduction of amendments to the FPAA (2019) has been necessitated by the need to address the following regulatory challenges:

1. Align the definition of child pornography to the definition in terms of the Constitutional Court judgment in the case of *De Reuck v Director of Public Prosecutions (Witwatersrand Local Division) and Others 2004 (1) SA 406 (CC)*;
2. Give effect to the constitutional amendments of section 16 (2)(a) as instructed by the Constitutional Court in *Print Media South Africa and Another v Minister of Home Affairs and Another 2012 (6) SA 443 (CC)*;
3. Decriminalise the online distribution of adult content on all platforms including digital platforms;
4. Provide for the establishment of a co-regulation system that will allow for accreditation by the FPB of independent classification bodies to classify their own digital films, games and publications;

5. Provide an effective penalty regime in support of, amongst others, the co-regulation approach.

The purpose of the amendments in the FPAA (2019) was to close the regulatory gap that existed in the online market. It extended the previous rating system and content regulatory regime to digital and online content distribution. It did so mindful of differences across jurisdictions and local communities about what qualifies as harmful content.

The FPAA (2019) achieved much of what it set out to do and provided a foundation upon which FPB can build. Feedback from civil society and industry on the FPAA (2019) and derived regulatory instruments reiterated the need for an inclusive approach to deal with all the complexities, especially the challenges in discovering and evaluating content with the advent of search-based and social media content distribution.

The challenges experienced with the restructuring of FPB to perform the full array of new functions also highlighted the need for digital platforms and associated processes to enable the organisation. It furthermore reiterated the reality that organisational and regulatory impacts will be incremental and continuous.

As part of the strategic review, the FPB evaluated its organisational performance against its strategic and work program targets. In the 2023/2024 financial year, the organization faced a regression from a clean audit to an unqualified audit with findings due to material misstatements in financial reporting. This included significant miscalculations in performance reporting, affecting decision-making and in-year reporting accuracy.

To better understand internal dynamics, FPB conducted a SWOT analysis to identify strengths, weaknesses, opportunities and threats. This analysis provided key insights into areas for improvement and potential risks and helped shape future strategic directions.

4.2.2 SWOT Analysis

4.2.2.1 Strengths

FPB's primary strength lies in the public demand for child protection from harmful online content. Civil society, particularly parents, is supportive of state-driven regulation to safeguard children from the increasing risks posed by digital platforms. This presents an unchallenged mandate for FPB to act as a leader in content regulation, independent from industry influence.

FPB's expertise in content classification and its youthful, skilled workforce are significant assets that contribute to its ability to adapt to social and technological trends.

Additionally, FPB has the goodwill and credibility necessary to make sound judgments on content harmful to children. The organization's alignment with global movements for child safety reinforces its leadership in the space of online harm prevention.

4.2.2.2 Weaknesses

FPB remains a small organization with limited resources. It faces budgetary constraints, with its primary revenue streams from content distributors dwindling. This has resulted in an inward focus and defensiveness, impacting organizational morale. High staff turnover, driven by low salary increases further exacerbates these weaknesses.

Additionally, FPB struggles with attracting top digital talent, as it cannot compete with the

private sector on compensation. There is also a lack of integrated digital systems to support FPB's evolving mandate. The organization's inability to focus on key strategic areas without spreading itself too thin undermines its operational efficiency.

4.2.2.3 Opportunities

FPB's greatest opportunity lies in embracing digital transformation to enable a more efficient and collaborative way of working. By leveraging partnerships with high-end technology companies, FPB can develop AI-based content discovery and classification tools that enhance its ability to regulate the growing volume of content. Improved collaboration with domestic and international stakeholders, including civil society organizations, parents and global industry players, offers a unique opportunity to co-create content regulation frameworks.

Furthermore, FPB can harness the digital engagement of parents, educators and industry experts to inform policy proposals that ensure robust protection for children. This presents a chance to mobilize resources beyond FPB's internal capacity through collaborations.

4.2.2.4 Threats

FPB's biggest threat is becoming embroiled in controversies or legal proceedings that drain its already limited resources. The complex global debate between freedom of speech and social responsibility poses a significant risk to FPB's mandate, as it can be easily pulled into politically charged issues that overshadow its core focus.

Additionally, FPB faces risks related to its collaboration forums and partnerships, particularly if its digital platforms fail to meet expectations. This could lead to a loss of trust and goodwill among stakeholders, undermining FPB's ability to harness external resources.

4.2.3 Human Capital Analysis

The FPB requires capacity and the requisite skills in the areas of data analysis, planning, implementation and monitoring including the skills and capacity to intervene in order to address any gaps identified. The organisation has, in the past three years lost critical skills which resulted in the weakening of its capacity and institutional memory. The organisation has therefore entered the phase of rebuilding its capacity and strengthening its planning, monitoring and evaluation systems.

The implementation of a new organizational structure in 2022 following the FPAA(2019) has led to considerable disruption. Staff dissatisfaction has escalated to the involvement of trade unions and raised concerns at the Ministry of Communications and Digital Technology. A key lesson from this experience has been the importance of change management. FPB has recognized the need for incremental change, ensuring that its policies, processes and systems are aligned before making further organizational shifts.

FPB's human capital challenges are further compounded by a high attrition rate and a vacancy rate of 18%. The organization has struggled with low staff morale, exacerbated by non-implementation of cost-of-living increases and frequent leadership changes. Despite an excellent skills development program, FPB's lack of succession planning and the misalignment of staff skills with job requirements remain significant hurdles.

Key human capital priorities include:

- Change management: FPB needs to adopt a phased approach to organizational transformation, with a focus on change readiness assessments to avoid further destabilizing the organization.
- Talent management: Continued efforts to fill vacant positions, improve staff morale and ensure alignment of skills with organizational needs are critical.

- Leadership development: Initiatives to reskill employees and foster leadership development are underway, but a stronger focus is needed on organizational culture and staff engagement.

4.2.4 Operational Analysis

Despite challenges with the recent restructuring, FPB's core mandate to protect South Africans from harmful content remains unchanged. However, the organization has yet to adequately transform its policy, technology, processes and structure to meet this mandate.

Key operational issues include:

- Digital transformation: FPB's lack of digital platforms to enable core processes raises concerns about the organization's readiness for the future. The absence of automated systems and reliance on manual processes slows down operations, impacting efficiency.
- Organizational transformation: FPB must continue its transformation through a pipeline of capacity change projects, managed by an adequately resourced project management office.
- FPB SWOT analysis. Each project will need to be subject to formal change readiness assessments to ensure systems, processes and policies are fully developed and tested before further organizational changes are made. In the next five years, FPB's focus must shift toward incremental transformation, ensuring that the necessary infrastructure, including digital platforms and cross-organizational workflows, is in place before implementing further structural changes.

4.2.5 FPB's Broad Based Black Economic Empowerment status

The FPB appointed an independent Broad Based Black Economic Empowerment (B-BBEE) verification agency to conduct and report on the degree of compliance for 2023/24 financial year. The verification process considered four elements as prescribed by

the B-BBEE scores namely, management control, skills development, enterprise and supplier development and socio-economic development.

The organisation scored significantly higher in the areas of management control and enterprise and supplier development. Management however remains concerned with the low scores attained for skills development and socio-economic development. In light of the adverse outcomes of the verification and scores attained, a B-BBEE improvement plan was developed and the organisation will endeavour to implement the plan in order to comply with the Act in the next 5 years.

4.2.6 The National Development Plan 2030 (NDP) Interventions relating to women, youth and people with disabilities

The NDP envisions an inclusive society and a fairer economy that provides opportunities, particularly for women, youth and people with disabilities. The government adopted a combination of interventions such as legislation, monitoring and accountability to address the imbalances.

To achieve this, the FPB collaborates with stakeholders and contains specific targets and indicators aimed at empowering designated groups.

The FPB endeavours to achieve and sustain the medium term strategic framework MTSF priorities in relation to women, youth and people with disabilities. The FPB contributes to the empowerment of the designated groups through procurement expenditure and staff composition. On average, the organisation was comprised of 56% women, 50% youth and 2% people with disabilities over the past five years. The FPB will endeavour to sustain a staff composition that reflects the demographics of the designated groups in South Africa.

Gender Equity

In line with gender equity goals, achieving gender equity of a target of 50% women at the senior management service level achieves the government's goal of equality. Contributing to job creation by filling funded vacancies and maintain a 10% vacancy rate. The advocacy work on online safety programme has also prioritised women to address online gender based violence (GBV).

The online safety programme is supported by an annual plan to ensure that women from all provinces are prioritised for online safety. The FPB investigates and enforces compliance with rules set in legislation, industry codes, standards and licenses. Investigations commonly arise through complaints we receive and our assessment of the risk to the public. Process are in place to ensure that complaints are attended to within set turnaround times.

Formal partnerships are in the process of being formalized to ensure that online GBV victims are supported and prohibited or harmful content is taken down by platform owners if not in line with platform's community guidelines.

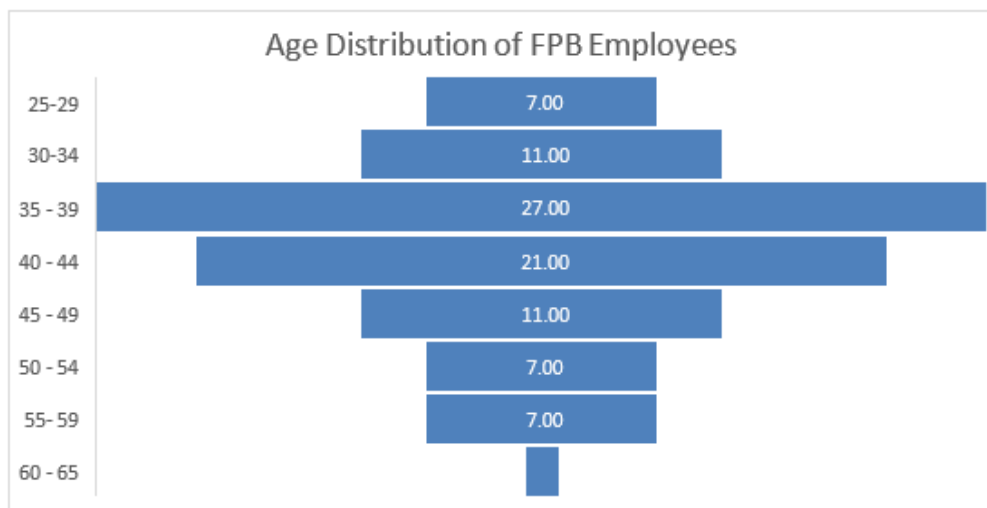
Children

The FPB's advocacy and outreach program aims to educate and empower learners and children about online safety and digital literacy. This is crucial to prevent the creation of child pornography, a serious criminal offense.

The FPB is working closely with law enforcement agencies to analyse child pornography and child exploitation cases to ensure that perpetrators faces the might of the law.

Youth empowerment

Achievement of 35% target youth employment will directly contribute to the government's goal of youth empowerment. The FPB workforce is largely a youthful organisation which is dominated by women at various levels.



Disability Empowerment

Achieving a target of 2% employment of people with disabilities directly contributes to the government's priority of empowerment of vulnerable groups.

SMME Development Programme

The FPB has set procurement targets of 30% allocation for women and 50% representation for youth. The Supply Chain Management Unit ensures that all FPB programs, policies and procedures are inclusive of issues concerning these designated groups.

EXTERNAL STAKEHOLDER ANALYSIS

Stakeholder	Keep satisfied	Consulta and engage	Monitor	Keep informed
Government	X	X		X
DCDT	X	X		
Parliament	X		X	X
Civic organisation	X	X		X
Academia /Research institutes		X	X	
Industry / Associations	X	X	X	X
Local Communities / Beneficiaries		X		X
Internation / Regional Organisations	X	X	X	X



PART C: Measuring Our Performance



1.1 MTDP 2024-2029 RESULT FRAMEWORK

PRIORITY 1: Drive inclusive growth and job creation

Desired outcome	Strategic Intervention	Intervention indicators	Intervention Baseline	Mid -Term Target	End Term Target
Effective and efficient compliance monitoring and enforcement	Applications for registration processed within 5 working days	Percentage (%) of application registration within 5 working days.	95% of applications for registration processed within 5 working days	95% of applications for registration processed within 5 working days	95% of applications for registration processed within 5 working days
	Annual compliance plan implemented	Percentage implementation of the annual compliance plan	70% implementation of the compliance plan	100% implementation of the compliance plan	100% implementation of the compliance plan
	Enforcement plan implemented	Percentage enforcement actions taken on identified / reported non compliant distributors	70% enforcement actions taken on identified / reported non compliant distributors	80% enforcement actions taken on identified / reported non compliant distributors	90% enforcement actions taken on identified / reported non compliant distributors
Improved online content classification and Regulation	Classification decision issued in 7 working days	Percentage (%) of classification decision issued within 7 working days.	80% of classification decisions processed within 7 working days	80% of classification decisions processed within 7 working days	80% of classification decisions processed within 7 working days
	Quality Assurance Auditing conducted on new self classified sampled content from commercial online distributors	Percentage of QA Auditing conducted on new self classified sampled content from commercial online distributors	7% QA Auditing conducted on new self classified sampled content from commercial online distributors	10% QA Auditing conducted on new self classified sampled content from commercial online distributors	20% QA Auditing conducted on new self classified sampled content from commercial online distributors

Desired outcome	Strategic Intervention	Intervention indicators	Intervention Baseline	Mid-Term Target	End Term Target
Improved online content classification and Regulation	Prioritized research to support the FPB mandate	Number of prioritised research projects concluded to support the FPB mandate	Four (4) Regulatory instruments to support FPB expanded mandate implemented 6 prioritized research projects concluded to support the mandate	9 prioritised research projects concluded to support the mandate	15 prioritised research projects concluded to support the mandate

PRIORITY 2: Reduce poverty and tackle the high cost of living

Desired outcome	Strategic Intervention	Intervention indicators	Intervention Baseline	Mid-Term Target	End Term Target	Lead
Social Cohension and nation building	Promote online safety programme to combat cyber abuse, hate speech, GBV and other forms of online harms / prohibited content	Percentage implementation of online safety education and awareness	New target	100% of the online safety and education and awareness programme implemented	100% of the online safety and education and awareness programme implemented	

PRIORITY 3: Build a capable, ethical and developmental state

Desired outcome	Strategic Intervention	Intervention indicators	Intervention Baseline	Mid-Term Target	End Term Target
Digitally driven organization	Implement AI strategy	Percentage implementation of AI strategy	20%	50% progress on AI strategy implementation	100% completion on AI strategy implementation
Financially sustainable organization	Increase self generated revenue	Percentage implementation of self generated revenue against total revenue	12%	self-generated revenue increased to 20%	self-generated revenue increased to 25%
Increased feelings of safety of women and children in communities;	Improve the capacity of prosecution and law enforcement agencies to effectively protect children against child sexual abuse and exploitation	Percentage of child sexual abuse and exploitation material cases assessed	90% of child sexual abuse and exploitation material cases assessed	90% of child sexual abuse and exploitation material cases assessed	90 %of child sexual abuse and exploitation material cases assessed

1.2 Explanation of planned performance over the five-year planning period.

a) Contribution on outcomes towards the achievement of the medium term development plan , the mandate of the institution and priorities of women, children and people with disabilities.

The FPB plays a significant role in advancing the government's priority of building a capable, ethical and developmental society through several outcomes that contribute to the Medium-Term Development Plan (MTDP) 2024-2029. This contribution is realised through a range of impactful measures aimed at addressing societal challenges and promoting online safety.

Build a capable, ethical and developmental society: A cornerstone of FPB's contribution lies in its prioritisation of research projects that align with its mandate, providing a strong evidence base for decision-making and policy development. Complementing this is the implementation of an AI strategy, which enhances the organization's ability to address emerging challenges in a rapidly evolving digital landscape. FPB has also made notable strides in financial sustainability, achieving an increase in self-generated revenue relative to total revenue. To strengthen public awareness, the FPB formalises partnerships with key stakeholders to deliver impactful initiatives under its online safety program. These collaborations amplify its educational reach and deepen societal understanding of online harm and its prevention.

In addressing the effects of harmful content, FPB is expanding its complaints resolution service to offer post-harm support for children exposed to such material. This vital service involves close cooperation with social services, civil society organizations and law enforcement agencies to ensure timely interventions that safeguard children's well-being. FPB also plays

a proactive role in online harm prevention by recommending effective parental control solutions and working alongside social media platforms to block harmful content. These efforts include the development and enhancement of content filtering mechanisms to create safer digital environments for children.

To foster collaboration and inclusivity, FPB has established forums that bring together diverse stakeholders, including parents, educators, caregivers, academic researchers and industry associations. These platforms facilitate valuable input on regulatory frameworks and educational initiatives while supporting FPB's broader public education efforts. In combating criminal activities such as CSAM, FPB assesses cases referred by law enforcement agencies to effectively contribute to crime prevention and child protection.

Additionally, the organisation strengthens regulatory measures by enhancing the registration of distributors and supporting the self-classification of online commercial distributors, ensuring compliance with established standards. FPB's commitment to quality is reflected in its strengthened content classification processes and rigorous quality assurance measures. The organization also prioritises efficient compliance and enforcement mechanisms, ensuring that industry stakeholders adhere to regulatory requirements. Notably, online distributor applications involving self-classification are now processed and concluded within 90 days, demonstrating FPB's dedication to operational efficiency. Through these initiatives, FPB reinforces its role as a key contributor to a society that values ethical governance, robust development and the safety and well-being of its citizens in the digital age.

Priorities for women, children and people with disabilities

The FPB is committed to promoting digital inclusion of vulnerable groups.

Specific programmes focus on equipping these groups with digital skills for online safety, protecting children from exploitation and used in the creation of child pornography and ensuring participation in the digital economy.

b) Key Priorities for 2025-2030, aligned with government priorities and frameworks

Over the next five years, the (FPB has outlined several outcomes aimed at driving contributing to the MTDP 2024 - 2029. These outcomes align with the organizational mandate to solidify its role as a leader in content regulation and protect South Africans, particularly children, from harmful online content. These priorities reflect lessons learned from the implementation of the FPAA (2019), feedback from civil society and industry and the challenges of regulating an increasingly digital world: The following will be the focus of the FPB for the next 5 years:

Outcome 1: Digitally driven organisation.

The FPAA (2019) transformed the FPB's mandate from a traditional classification authority into a regulator responsible for online content. This expanded role requires ongoing organizational transformation to support the FPB's objectives. Over the next five years, FPB's transformation will continue, focusing on the following areas:

- Alignment of the organizational structure: Ensuring that the structure supports the strategic objectives and provides the necessary capacity for efficient regulation.
- Reskilling employees: Developing a workforce capable of handling the complexities of digital content regulation, with a focus on building expertise in emerging areas such as AI-driven content analysis and cybersecurity.
- Investment in technology: Investing in digital platforms and process automation to improve regulatory processes, enhance monitoring and enforce compliance more efficiently.

FPB recognizes that transformation cannot occur overnight. Instead, the organization

will adopt a phased approach to change, ensuring that its systems, processes and people are ready to support new initiatives before implementation. This incremental strategy will enable FPB to maintain stability while embracing the changes necessary for its expanded regulatory role.

Outcome 2: Effective and efficient compliance processes, monitoring and enforcement.

Over the next five years, FPB will prioritize building its regulatory capacity to ensure that it can meet the demands of its expanded mandate.

Key initiatives include:

- Strengthen regulatory initiatives on registration of distributors and self-classification of online commercial distributors
- Strengthen content classification and quality assurance
- Effective and efficient compliance and enforcement

This focus on regulatory capacity will help FPB implement stronger enforcement mechanisms, allowing it to issue penalties, take down harmful content and provide a higher level of oversight in an increasingly digital content landscape.

Outcome 3: Improved awareness and education of the public on online safety.

Over the next five years, the FPB will enhance its online safety service through a proactive approach on online safety education and awareness initiatives and by expanding its service offering to address the evolving needs of parents, caregivers, and educators.

Collaboration forums will be established, where stakeholders such as parents, educators, caregivers, academic researchers and industry associations can provide input on regulatory frameworks and educational programs. These forums will also support FPB's public education efforts, reaching a broader audience.

Outcome 4: Financially sustainable organisation.

Given the growing fiscal pressures and the diminishing number of domestic content distributors contributing to FPB's revenues, the organization will prioritize financial sustainability over the next five years. FPB will continue to explore new revenue streams and optimize its existing income sources to meet its operational needs.

Outcome 5: Improved capacity of prosecution and law enforcement agencies to effectively protect children against child sexual abuse and exploitation.

Strengthen capacity for the monitoring of prohibited and harmful online harms. Improve CSAM analysis and manage relations with law enforcement agencies. Position the FPB to be a leader in protection of children against child CSAM.

Outcome 6: Improved online content regulation and classification.

This outcome will be achieved through a robust system centred on quality assurance which involves a thorough review of self-classified content samples submitted by commercial online distributors. This ensures that content classifications are aligned to FPB classification guideline and regulatory frameworks. Efficiency is further emphasized by the FPB's commitment to issuing classification decisions within seven (7) working days. The FPB will also prioritise research projects that directly align with its mandate over the next five years.

1.3 Key risks and mitigations

Outcomes	Key risks	Risk mitigations
Outcome 1: Digitally driven organisation	Failure to digitising business operations Cybersecurity Business continuity	Assess the impact of the Digital Roadmap Training on AI tools Implement information security controls Implement disaster recovery plan
Outcome 2: Financially sustainable organisation	Financial unsustainability	Review of the revenue enhancement strategy and the implementation plan Conduct industry trends analysis
Outcome 3: Increased awareness and education of the public on online safety.	Inability to effectively market and position the FPB brand. Inability to effectively protect children and consumers	Develop communication plan that is informed by the communications strategy Build public support through PR/ Marketing campaigns in support of the FPB mandate.

Outcomes	Key risks	Risk mitigations
Outcome 4: Improve the capacity of prosecution and law enforcement agencies to effectively protect children against Child Sexual Abuse and Exploitation	Lack of technical skills and expertise to utilise the provisions in FP Act in prosecuting cases by Law Enforcement Agencies (LEAs)	<p>Develop of the MOU with law enforcement agencies</p> <p>Conduct LEA workshops and promoting CSAM hashes of content analysis</p> <p>Engagements and collaboration with key relevant stakeholders</p> <p>Implementation of improvements on the FPB hotline reporting (Short- code reverse billing, WhatsApp, Toll Free, Website, Referrals)</p>
Outcome 5: Effective and efficient compliance processes, monitoring and enforcement	Inability to complete registration/renewal within the set frames.	Implement the FPB online system
	Non-compliance with FP Act and regulations	Review of the compliance implementation plan
	Litigation by industry	Engagements with the Industry on the compliance with the FP Act.
Outcome 6: Improved online content regulation and classification	Sluggish classification process.	Enhancement of the automated classification system
	<p>Failure to classify all content hosted on online distributors platforms</p> <p>Misapplication of classification guidelines during self-classification</p>	Continuous training and collaboration with distributors conducting self-classified content
	Failure to solicit research data source to conduct research	<p>Consolidate the resource data repository for internal research</p> <p>Subscription to research resources</p> <p>Develop and implement research agenda</p>



PART D: Technical Indicator Descriptions



Indicator Title	Percentage (%) implementation of the Artificial Intelligence (AI) strategy
Definition	The AI strategy is a comprehensive plan that outlines how the FPB will leverage AI technologies and tools to achieve its strategic objectives, enhance operations, and address its operational challenges.
Source of data	Council approved strategy Exco approved implementation plan Progress report on AI strategy implementation
Method of calculation or assessment	Council approved strategy Exco approved implementation plan Total number of activities implemented divided by planned activities x 100 = %
Means of verification	Council approved strategy and implementation plan Activities implemented for the year
Assumptions	Relevant resources (people and budget) approved.
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative
Reporting cycle	Quarterly and annually
Desired performance	Achieving 100% implementation of the AI strategy
Indicator responsibility	Executive: Technology and platform monitoring

Indicator Title	Percentage (%) increase in self-generated revenue against total revenue
Definition	This target measures the composition of self-generated revenue relative to total revenue. The objective is to increase self-generated revenue expressed as a percentage over the five year period through the approved revenue strategy and tariff model.
Source of data	Trial balance Audited annual financial statements
Method of calculation or assessment	Total self-generated revenue divided by Total Revenue x 100 = %
Means of verification	Management accounts reports
Assumptions	The Revenue enhancement office is fully capacitated to implement the plan Distributor compliance with the FP Act.
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly and Annually
Desired Performance	Higher performance than the targeted
Indicator Responsibility	Chief Financial Officer

Indicator Title	Percentage (%) Implementation of the online safety education and awareness plan
Definition	An online safety education and awareness plan is comprehensive plan that aims to educate, collaborate and safeguard individuals, especially children and vulnerable groups, from online risks such as exploitation, abuse, cyberbullying, and exposure to harmful and prohibited content. This target measures progress toward achieving the objectives outlined in the plan.
Source of data	Approved online safety education and awareness plan by EXCO Approved quarterly online safety reports
Method of calculation or assessment	Approval of the online safety education and awareness plan by EXCO Total number of activities in the plan conducted divided by planned activities x 100 =%
Means of verification	EXCO approved online safety education and awareness plan Activity implementation reports
Assumptions	Funding approval Skilled team and resources
Disaggregation of beneficiaries (where applicable)	Women, youth, children, and people with disabilities
Spatial transformation (where applicable)	N/A
Calculation type	Cumulative
Reporting cycle	Quarterly and annually
Desired performance	Higher performance desirable: National thematic campaign reports on branding initiatives
Indicator responsibility	Corporate service executive

Indicator Title	Percentage (%) of Child sexual abuse and exploitation material cases assessed
Definition	The target measures the percentage of content assessed on cases referred and reported to the FPB containing suspected child sexual abuse and exploitation material
Source of data	Register of cases received Acknowledge letters issued to referring stakeholder Content analysis reports issued
Method of calculation or assessment	Total number of CSAM cases assessed divided by total number of CSAM cases received x100=%
Means of verification	CSAM reports Register of cases received
Assumptions	CSAM cases referred by SAPS for analysis
Disaggregation of beneficiaries (where applicable)	Children, SAPS, NPA and INHOPE
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly and annually
Desired performance	90% of CSAM cases assessed
Indicator responsibility	Executive: Technology and platform monitoring

Indicator Title	Percentage (%) of applications for registration processed within 5 working days.
Definition	Refers to registration applications (renewal and new, online and physical outlets) processed and registration certificate issued within the stipulated timeframe.
Source of data	Registration (renewal and new) application report
Method of calculation or assessment	Date on which the application received for processing. Verification of the application compliance status. Counting starts a day after the date compliance is confirmed. Total number of registration applications processed divided by number of applications received X 100 = %
Means of verification	Registration (renewal and new) applications report
Assumptions	FPB system challenge
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly and annually
Desired performance	95% of applications for registration processed within 5 working days
Indicator responsibility	Executive: Regulatory development and enforcement

Indicator Title	Percentage (%) implementation of the regulatory compliance plan
Definition	<p>The plan contains annual approved regulatory compliance activities to ensure compliance with the Act: The following are the regulatory compliance activities:</p> <p>Physical Inspections Online Inspections Market surveillance Compliance seminars/industry engagements Social media platform monitoring</p>
Source of data	<p>Compliance plan approved by EXCO; Inspection report Market surveillance and compliance seminar report Social media platform monitoring report</p>
Method of calculation or assessment	Total number of activities achieved divided by planned activities x 100 = %
Means of verification	<p>Compliance plan approved by EXCO; Inspection report Market surveillance and Compliance seminar report Social media platform monitoring report</p>
Assumptions	Adequate capacity
Disaggregation of beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation type	Cumulative
Reporting cycle	Quarterly and annually
Desired performance	100% of the regulatory compliance plan implemented
Indicator responsibility	Executive: Regulatory development and enforcement

Indicator Title	Percentage (%) of enforcement action taken on identified /reported non- compliant distributors
Definition	<p>In terms of the FP Act, non-compliance occurs where a distributor is distributing films, games and certain publications without first having been registered with the board as a distributor, distribution of unclassified and or prohibited and harmful content. A distributor also includes a non-commercial distributor who distribute harmful or prohibited content on social media/electronic medium Enforcement actions include any of the following administrative and criminal penalties:</p> <p>Compliance notice issued Notice of removal issued Referral to the Enforcement Committee Imposition of penalties by the enforcement committee which includes any of the following: (Suspension of the registration and fine) Take down notices issued Confiscation of material (raids: criminal)</p>
Source of data	<p>E-visit database Inspection report compliance notices issued Notice of removal issued Report on matters referred to the enforcement committee Register of take down notices issued Report on raids Investigation register</p>
Method of calculation or assessment	Total number of enforcement action taken divided by total number of identified non-compliant distributors X100 = %
Means of verification	<p>E-visit database Compliance notices Notice of removal issued Report on matters referred to the enforcement committee Register of take down noticed issued Report of raids Investigation register</p>
Assumptions	Adequate capacity
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly and annually
Desired performance	100% of the enforcement action taken on reported /identified non-compliant distributors
Indicator responsibility	Executive: Regulatory development and enforcement

Indicator Title	Percentage (%) of classification decisions issued with 7 working days
Definition	<p>The percentage of content classification decisions issued within the stipulated time frame. Classification decision is the rating of content in terms of age-appropriate viewership to include consumer advisory on what elements are contained that may be harmful or inappropriate for viewers</p>
Source of data	Monthly classification reports
Method of calculation or assessment	<p>The application is verified for compliance and when complaint, the date is captured under submitted date on the system.</p> <p>The turnaround time is calculated from the working day after the submitted date until the date that the decision is released to the distributor.</p> <p>The percentage of turnaround time is calculated as follow: Number of titles (less film festivals) which were classified in 7 days or less / total number of titles (less film festivals) classified for the month x 100 = % achievement</p>
Means of verification	Classification reports
Assumptions	Delays in the approval of classification decision
Disaggregation of beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly and annually
Desired performance	90% of classification decisions issued within 7 working days
Indicator responsibility	Executive: Technology and platform monitoring

Indicator Title	Percentage (%) of Quality Assurance Auditing conducted on new self-classified sampled content from commercial online distributors
Definition	Quality assurance auditing conducted on new self-classified sampled content from commercial online distributors is a process aimed at ensuring that distributors comply with FPB classification guidelines.
Source of data	Quarterly quality assurance reports on self-classified sampled content from commercial online distributors requested sampled titles
Method of calculation or assessment	Number of quality assured reports on new self-classified sampled content divided by Number of new-self-classified sampled content reports received from commercial distributors x 100 = %
Means of verification	Quality assurance reports and requested sampled titles classification reports
Assumptions	New self-classified content sampled reports from commercial online distributors
Disaggregation of beneficiaries	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly and annually
Desired performance	7% of quality assurance auditing conducted on new self-classified sampled content from commercial online distributors
Indicator responsibility	Executive: Technology and platform monitoring

Indicator Title	Number of prioritised research projects concluded to support the mandate of the FPB
Definition	Evidence-based research to support the mandate of the FPB. The prioritized research projects linked to the annual performance plan will be outlined in the research agenda.
Source of data	Approved research agenda by EXCO, Research reports on prioritized projects
Method of calculation or assessment	Simple count of research reports produced and approved by EXCO
Means of verification	Simple count of research reports produced and approved by EXCO
Assumptions	Availability of research participants
Disaggregation of beneficiaries (where applicable)	Women, youth, children and people with disabilities
Spatial Transformation (where applicable)	N/A
Calculation type	Cumulative
Reporting cycle	Quarterly and annually
Desired performance	Higher performance than targeted
Indicator responsibility	Executive: Regulatory development and enforcement

Notes

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Notes

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